



DEPARTMENT OF THE ARMY
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REPLY TO
ATTENTION OF

AFLG-PR

12 January 1998

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Contracting Information Letter 98-12

1. This CIL contains information of the following:

- a. Multiple Award Task Order and Delivery Order Contracts, and
- b. Mailing of Solicitations by the Print Plant.

2. Multiple Award Task Order and Delivery Order Contracts.

a. The Federal Acquisition Streamlining Act of 1994 (FASA) provides clear and statutory coverage of task and delivery order contracting. FASA adopts a definition of "task or delivery order contract" that differs from prior, common procurement usage. Prior to FASA, the term was commonly used to refer to all indefinite-delivery contracts. Under the FAR (both before and after FASA), there are three types of indefinite-delivery contracts: (a) definite-quantity contracts (ID/DQ), (b) requirements contracts, and (c) indefinite-quantity contracts (ID/IQ). The common characteristic of each of these three types of indefinite-delivery contracts is that orders for services or supplies are accomplished after contract award through the issuance of either a task order (for services) or a delivery order (for supplies). Note that the general preference, IAW FAR 16.504(c), is for multiple award of indefinite-quantity contracts under a single solicitation for the same or similar supplies or services to two or more sources.

b. FASA differs FAR in that a "task order contract" or "delivery order contract" is a contract for services or supplies that does not procure or specify a firm quantity (other than a minimum or maximum) and provides for the issuance of orders for the services or supplies from time to time during the life of the contract. Thus, the FASA definition of "task order contract" or "delivery order contract" includes only *requirements contracts and ID/IQ contracts*. Since an ID/DQ contract procures a firm quantity, with deliveries to be defined later, this type of

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contract does not meet the FASA definition of task or delivery order contract.

c. FASA also defines a special category of task order contracts - *advisory and assistance services task order contracts*. Under FASA, "advisory and assistance services" task order contracts are services contracts for (a) management and professional support services, (b) studies, analyses, and evaluations, and (c) engineering and technical services. However, the law specifically excludes from the definition contracts for (a) routine automated data processing and telecommunications services, (b) architectural and engineering services covered by the Brooks Architect-Engineers Act, and (c) certain basic research. Advisory and assistance services task order contracts are subject to special rules, IAW FAR 16.503(d) covering the mandatory use of multiple award contracts, not applicable to task and delivery order contracts generally.

d. In an effort to provide you with all the available information on multiple award task and delivery order contracts, the following is a listing of available training and materials on the FASA implementation:

(1) Task and Delivery Order Contracting, Course Manual, available from Federal Publications Inc., Seminar Division, 1120 20th Street NW, Washington, DC 20036. Phone number 1/800-922-4330 or 202/337-7000 FAX 202/775-9304.

(2) Army 97 Roadshow, 14 - 16 April 1997, Participant Book, produced by BRTRC. All attendees received copies of material for each subject presented.

(3) Multiple Award Task and Delivery Order Contracts, Acquisition Reform, VTC, 4 June 1997.

(4) DAU memorandum, dated 3 July 1997, Multiple Award and Delivery Order Contracts, Information Guide and broadcast video, mailed to all FORSCOM's DOCs on 7 August 1997. Notify this office for additional copies.

(5) The Defense Contracting Career Management Board (DCCMB) and the Defense Acquisition University (DAU) have

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approved the development of a Task Order Contracting Course (CON 245). The course is expected to be available during FY 98.

(6) Office of Federal Procurement Policy (OFPP), Office of Management and Budget, Best Practices for Multiple Award Task and Delivery Order Contracting, July 1997, is available on the web at <http://www-far.npr.gov/Whatsnew.html>.

(7) Additional training from BRTRC has been requested for FORSCOM and various other FORSCOM sites to be conducted in the 3rd quarter of FY 98.

(8) For additional information, please contact Ms. Sandra Bruner at DSN 367-6296.

3. Mailing of Solicitations by the Print Plant.

a. The Director of Contracting at Fort Eustis (a TRADOC installation) has implemented a unique plan for printing and distributing solicitations and amendments. We pass this to you as a good idea to save dollars. Use is your option.

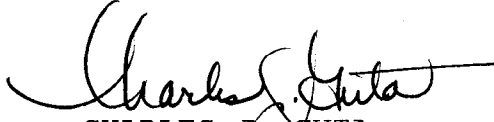
b. The DOC entered into an agreement with the local Defense Automated Printing Service (DAPS) whereby the DAPS is responsible for printing and providing solicitation packages to contractors. The pre-invitation notice and the synopsis in the *Commerce Business Daily* advise bidders of the price and address for requesting the bid package. The contractors pay DAPS directly for the bid sets (usually \$20 to \$30 per set). The DOC saves printing and mailing costs, as well as manpower associated with preparation of packages for mailing. Another benefit is that waste is minimized because DAPS only prints the amount needed and there is no need to throw away or recycle excess copies.

c. Lesson Learned: The system works well for original bid packages. However, amendments were a problem, and the DOC (not DAPS) issues amendments to those on the Bidders' Mailing List.

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d. If you need more detailed information, contact Mr. Alan Schantz at DSN 367-6227.



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